

186 Center Street Suite 290 Clinton, NJ 08809 (908) 735-9315 (908) 735-2132 FAX

March 17, 2008

VIA ELECTRONIC & US MAIL

Ms. Alice Yeh
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 10 – February 2008
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009

Dear Ms. Yeh:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On February 6, 2008 CPG met with EPA to discuss a revised sediment sampling plan that is being developed following EPA rejection of the Sediment Grab Work Plan Addendum. The revised work plan will focus on low resolution cores throughout the entire study area.
- On February 13, 2008 CPG provided a presentation to Contaminated Sediments Technical Advisory Group (CSTAG) regarding the LPR RI/FS and Early Action/Focused Feasibility Study.

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 On February 27, 2008 CPG attended a scoping meeting with EPA and the Partner Agencies to discuss the RI/FS project schedule, plans to complete Field Sampling Plans and plans for 2008 sampling.

Correspondence

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- On February 8, 2008, CPG sent EPA a response to its January 8, 2008 letter regarding the CPG's proposed modeling team.
- On February 11, EPA sent the CPG a response to its January 11, 2008 letter.
- On February 11, 2008, EPA and CPG exchanged e-mails regarding the use of QAPP worksheets from previous sampling efforts. This question was raised during the February 6 meeting between CPG and EPA.
- On February 13, 2008, EPA sent CPG sediment probing depth data from December 2007 field work conducted by MPI via e-mail.
- On February 13, 2008, CPG sent EPA an e-mail indicating that bathymetry shape files were being transmitted by mail due to the large file size.
- On February 13 and 14, 2008, a series of e-mails were sent between EPA and CPG regarding the scheduling of a meeting with the Partner Agencies to discuss 2008 sediment sampling plans.
- On February 15, 2008, CPG sent EPA the January 2008 monthly RI/FS Progress Report.
- On February 19, 2008, EPA sent CPG field notes MPI's January 2008 low resolution coring program via e-mail. This e-mail also contained answers to CPG questions on the field program.
- On February 21, 2008, EPA sent CPG a draft meeting agenda for the scoping meeting.
- On February 25, 2008, the CPG sent EPA a response to its February 11, 2008 letter.
- On February 26, 2008, EPA sent CPG a list of data needs for the RI/FS for discussion at the scoping meeting held on February 27, 2008.
- On February 27 and February 28, CPG and EPA exchanged a series of emails to schedule a meeting to discuss the locations for deep sediment cores.



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Work

- CPG has been developing and discussing with the EPA/Partner Agencies a low resolution coring program to be implemented as part of the RI/FS.
 The revised work plan will focus on collection of low resolution sediment cores throughout the entire study area.
- CPG continues to process and analyze bathymetry and topography data.
 This work includes processing the 2007 multi-beam survey data,
 conducting depth differencing with historical data, and developing
 representative cross sections.
- CPG is reviewing the Draft Feasibility Study Work Plan internally and anticipates submission to the EPA in the near future pending discussions on ongoing early action feasibility work.
- CPG continued to develop a framework for conducting the risk assessment and is awaiting receipt of the EPA/Partner Agencies' comments on the 2006 FSP 2.
- CPG is working to update and refine of the conceptual site model. This
 work includes assessing historical and recent sediment contaminant data,
 a review of sediment stability, bathymetry, erosion and an assessment of
 tides and currents.

(b) Results of Sampling and Tests

No sampling was conducted during the reporting period

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG anticipates field sampling no earlier than May 2008. CPG anticipates submitting a low resolution coring program to the EPA and Partner Agencies in April for review and comment.
- CPG anticipates meetings with EPA and the Partner Agencies to review and discuss unscoped tasks in Field Sampling Plan (FSP) Volume 1 including Water Column Monitoring, Mudflat and Porewater Sampling.
- The CPG anticipates meetings with EPA and the Partner Agencies on revising and finalizing draft FSP Volume 2 following receipt of 2006 FSP 2 comments from EPA.
- CPG continues to work on reference site selection criteria. Meetings with EPA and the Partner Agencies will be scheduled in the near future.



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- CPG will continue to work on plans for characterization of fish community.
- CPG will meet with EPA to review and discuss the draft Risk Assessment Framework in the near future.
- CPG will continue to review and evaluate data needs for the Conceptual Site Model.

(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

CPG provided comments to the EPA on February 8, 2008 regarding EPA's decision not to approve the proposed modeling team. Without approval of the CPG modeling team, no modeling efforts by the CPG are proceeding. This delay in start of modeling has implications for the overall project schedule, as modeling is a critical path activity for the RI/FS.

CPG has worked toward completion of a draft Feasibility Study Work Plan. Given pending early action feasibility study evaluation by EPA, CPG understands that submission of this Work Plan to EPA is being delayed upon mutual agreement. CPG is endeavoring to evaluate potential feasibility study issues consistent with the AOC Statement of Work and the draft Work Plan.

EPA and CPG agreed that a revised schedule should be delayed until such time as a plan to conduct RI/FS tasks in 2008 is discussed and agreed upon; therefore, CPG will develop a revised RI/FS project schedule following the RI/FS scoping meeting. It is currently anticipated that a new project schedule will be provided in May 2008.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc

Willard F. Potter Project Coordinator Ms. A. Yeh LPRSA RI/FS - Progress Report No.10 - February 2008 March 17, 2008 Page 5 of 5

cc: Sarah Flanagan, EPA Office of Regional Counsel William Hyatt, CPG Coordinating Counsel Megan Grubb, USACE
Lisa Baron, NJDOT
Tim Kubiak, USFWS
Reyhan Mehran, NOAA
Janine MacGregor, NJDEP
Kristine Carbonneau, ENSR
Dave Nakles, ENSR